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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NEETA THAKUR, KEN ALEX, NELL
GREEN NYLEN, ROBERT HIRST,
CHRISTINE PHILLIOU, and JEDDA
FOREMAN, on behalf of themselves and all
others similarly situated,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States;
DEPARTMENT OF GOVERNMENT
EFFICIENCY (“DOGE”);
AMY GLEASON, in her official capacity as
Acting Administrator of the Department of
Government Efficiency;
NATIONAL SCIENCE FOUNDATION;

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Case No. 3:25-cv-04737-RL

**DECLARATION OF JEDDA
FOREMAN**

The Honorable Rita F. Lin

1 BRIAN STONE, in his official capacity as
2 Acting Director of the National Science
Foundation;
3 NATIONAL ENDOWMENT FOR THE
HUMANITIES;
4 MICHAEL MCDONALD, in his official
capacity as Acting Chairman of the National
5 Endowment for the Humanities;
UNITED STATES ENVIRONMENTAL
6 PROTECTION AGENCY;
LEE ZELDIN, in his official capacity as
7 Administrator of the U.S. Environmental
Protection Agency;
8 UNITED STATES DEPARTMENT OF
AGRICULTURE;
9 BROOKE ROLLINS, in her official capacity as
Secretary of the U.S. Department of Agriculture;
10 AMERICORPS (a.k.a. the CORPORATION
FOR NATIONAL AND COMMUNITY
11 SERVICE);
JENNIFER BASTRESS TAHMASEBI, in her
12 official capacity as Interim Agency Head of
AmeriCorps;
13 UNITED STATES DEPARTMENT OF
DEFENSE;
14 PETE HEGSETH, in his official capacity as
Secretary of the U.S. Department of Defense;
15 UNITED STATES DEPARTMENT OF
EDUCATION;
16 LINDA MCMAHON, in her official capacity as
Secretary of the U.S. Department of Education;
17 UNITED STATES DEPARTMENT OF
ENERGY;
18 CHRIS WRIGHT, in his official capacity as
Secretary of Energy;
19 UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES;
20 ROBERT F. KENNEDY, JR., in his official
capacity as Secretary of the U.S. Department of
21 Health and Human Services;
UNITED STATES CENTERS FOR DISEASE
22 CONTROL;
MATTHEW BUZZELLI, in his official capacity
23 as Acting Director of the Centers for Disease
Control;
24 UNITED STATES FOOD AND DRUG
ADMINISTRATION;
25 MARTIN A. MAKARY, in his official capacity
as Commissioner of the Food and Drug
26 Administration;
UNITED STATES NATIONAL INSTITUTES
27 OF HEALTH;
JAYANTA BHATTACHARYA, in his official
28 capacity as Director of the National Institutes of

1 Health;
2 INSTITUTE OF MUSEUM AND LIBRARY
3 SERVICES;
4 KEITH SONDERLING, in his official capacity
5 as Acting Director of the Institute of Museum
6 and Library Services;
7 UNITED STATES DEPARTMENT OF THE
8 INTERIOR;
9 DOUG BURGUM, in his official capacity as
10 Secretary of the Interior;
11 UNITED STATES DEPARTMENT OF STATE;
12 MARCO RUBIO, in his official capacity as
13 Secretary of the U.S. Department of State;
14 DEPARTMENT OF TRANSPORTATION;
15 SEAN DUFFY, in his official capacity as
16 Secretary for the U.S. Department of
17 Transportation,
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19 Defendants.
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DECLARATION OF JEDDA FOREMAN

I, Jedda Foreman declare as follows:

1. I have personal knowledge of the facts contained in this declaration and, if called as a witness, could and would testify competently to those facts.

2. I am the Director, Center for Environmental Learning at the Lawrence Hall of Science at the University of California, Berkeley.

3. I am a graduate of Carleton College and hold an M.B.A. in Design Strategy from the California College of the Arts and a Graduate Certificate in Field Science and Place-Based Education from Teton Science Schools.

4. I have over fourteen years of experience in environmental education, curriculum and professional learning development, and project management.

5. I have served as a Principal Investigator or co-Principal Investigator on several National Science Foundation (“NSF”) funded projects.

The Lawrence Hall of Science

6. The Lawrence Hall of Science is UC Berkeley’s public science center. Opened to the public in 1968, The Lawrence Hall of Science’s mission is to inspire and engage through science discovery and learning in ways that advance equity and opportunity. We activate hundreds of thousands of Northern CA youth, families, educators and communities through fun and rigorous, hands-on science learning at our Berkeley-based science center and with extensive outreach programs. Nationwide, The Lawrence reaches over 20% of US K–12 students through its science curricula (including Amplify Science, FOSS, SEPUP). We also impact millions of people worldwide via our effective STEM learning programs, educator professional learning, and STEM learning research and design.

1 7. The Lawrence Hall of Science has a history of leading the way in designing,
2 studying, and scaling issues-oriented and practice-rich science learning materials and programs in
3 ways that inspire, engage and prepare learners of all ages. We do so by broadening and deepening
4 efforts to engage youth--early and often--in phenomena-based, issues-oriented STEM learning
5 experiences both in and out of school. We address the critical need to prepare youth and
6 communities to tackle the problems and possibilities of today and to inspire them to improve
7 tomorrow. We seek to inspire people with cutting-edge research, exciting discoveries, and
8 transformative innovations; engage people in learning, scientific thinking, pursuits, and dialogue;
9 and catalyze them to take actions in service of the greater good.

10 **First Application for Grant Funding (2314075)**

11 8. On January 11, 2023, together with my collaborators at the Lawrence Hall of
12 Science Melissa Collins and Valeria Fike Romero, and through the Regents of the University of
13 California, I submitted to the NSF proposal number 2314075 entitled “Understanding the Impact
14 of Outdoor Science and Environmental Learning Experiences Through Community-Driven
15 Outcomes.” A true and correct copy of the Grant Application is attached hereto as **Exhibit A**.

16 9. Our Grant Application was submitted to National Science Foundation Program
17 NSF 22-626, Advancing Informal STEM Learning (AISL). The AISL program is an NSF program
18 that exclusively invests in research and practice on how people learn STEM outside of formal
19 education. The AISL program funds a range of informal STEM learning experiences and
20 environments. The AISL program seeks proposals that further the well-being of individuals and
21 communities who have historically been and continue to be excluded, under-served, or
22 underrepresented.

23 10. Our proposal was for a four-year Integrating Research and Practice project program
24 that would produce a set of science and environmental literacy measures for underrepresented
25 communities. Scientific and environmental literacy are valuable outcomes linked to academic
26 learning, STEM career pathways, and broader engagement in science and environmental causes
27 and advocacy.

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23. The award covered salaries and wages for three senior personnel: principal investigator Melissa Collins, Ph.D., co-principal investigator Valeria Romero, M.A., and myself. The award also covered salaries and wages for several other professional researchers and project coordinators at the Lawrence Hall of Science. The award also provided for support from an undergraduate research assistant.

Second Application for Grant Funding (2315277)

24. On January 17, 2023, together with my collaborators Valeria Romero and Craig Strang at the Lawrence Hall of Science, through the Regents of the University of California, I submitted to the NSF proposal number 2315277 entitled “Working Toward Racial Equity: Building Capacity to Institutionalize Equity in Outdoor and Environmental Science Education.” A true and correct copy of the Grant Application is attached hereto as **Exhibit C**.

1 25. Our Grant Application was submitted to National Science Foundation Program
2 NSF 22-634, Racial Equity in STEM Education (RESTEM). The RESTEM program is an NSF
3 program which aims to support bold, groundbreaking, and potentially transformative projects that
4 contribute to advancing racial equity in STEM education and workforce development through
5 practice and/or fundamental or applied research. The RESTEM program builds from the NSF
6 Strategic Plan, seeking “to achieve excellence in U.S. science, technology, engineering and
7 mathematics (STEM) education at all levels and in all settings (both formal and informal) in order
8 to support the development of a diverse and well-prepared workforce of scientists, technicians,
9 engineers, mathematicians and educators and a well-informed citizenry that have access to the
10 ideas and tools of science and engineering. The purpose of these activities is to enhance the quality
11 of life of all citizens and the health, prosperity, welfare and security of the nation.”

12 26. Our project aimed to support a team of leaders from five organizations to facilitate
13 and guide organization-wide discussions related to racial equity. Our project aimed to develop a
14 Tool Kit with three components: 1) a Facilitator’s Reflection Guide, 2) a Foundations of Racial
15 Equity Guide, and 3) Organization Systems Change Tools.

16 27. Our project aimed to produce a replicable model for broadening participation.
17 Associated research and evaluation findings would benefit the entire field of outdoor and
18 environmental science education by giving organizations the appropriate capacity-building
19 scaffolds and approaches.

20 28. The project would also advance scholarship about the approaches, tools, and
21 programmatic elements that can position organizational leaders and staff of science education
22 institutions to facilitate conversations about racial equity.

23 **Second Award of Grant Funding (2315277)**

24 29. On September 13, 2023, The NSF accepted our proposal and awarded us a grant
25 (Award Number 2315277). A true and correct copy of this Award Notice is attached hereto as

26 **Exhibit D.**

27 30. The Award Notice stated that the NSF was obligated by an amount of \$1,701,416 ,
28 and that the total intended award amount was \$4,723,028.

1 31. The Award Notice did not require any cost share or matching amounts.

2 32. The Award Notice provided, “Contingent on the availability of funds and scientific
3 progress of the project, NSF expects to continue support at approximately the following level:
4 Fiscal Year: 2025, Increment Amount: \$947,005, Fiscal Year: 2026, Increment Amount:
5 \$1,133,391, Fiscal Year: 2027, Increment Amount: \$941,216.”

6 33. The Award Notice provided that the period of performance was from January 1,
7 2024 through December 31, 2028.

8 34. The Award Notice contained the following General Terms and Conditions: “This is
9 awarded pursuant to the authority of the National Science Foundation Act of 1950, as amended
10 (42 U.S.C. 1861-75) and is subject to Research Terms and Conditions (RTCs) dated 11/12/2020,
11 and NSF Agency Specific Requirements, dated 01/30/2023, available at
12 <https://www.nsf.gov/awards/managing/rtc.jsp>. This institution is a signatory to the Federal
13 Demonstration Partnership (FDP) Phase VI Agreement which requires active institutional
14 participation in new or ongoing FDP demonstrations and pilots. This award is made in accordance
15 with the provisions of NSF Solicitation: NSF 22-634 Racial Equity in STEM Education.”

16 35. The indirect rate for this award was 40%. Over the total 5-years of intended award,
17 the indirect costs would come out at \$1,110,094. For the 2 year period that the funds were
18 obligated, the indirect totaled \$410,587 and the direct totaled \$1,290,829.

19 **Third Application for Grant Funding (2241805)**

20 36. On August 12, 2022, with my collaborators Ari Krakowski, Kimiko Ryokai, Sarah
21 Olsen, and Vincent Medina, through the Regents of the University of California, I submitted to the
22 NSF proposal number 2241805 entitled “Supporting Rightful Presence in Museum Spaces: Youth
23 as Participatory Designers of Indigenous Mixed Reality Science Exhibits.” A true and correct copy
24 of the Grant Application is attached hereto as **Exhibit E**.

38. Our project aimed to address the ongoing marginalization of Indigenous communities in informal science learning spaces by developing and studying a model that strengthens Indigenous youths' disposition towards, and capacity for STEM pathways.

40. The project aimed to engage Ohlone youth in iterative cycles of participatory design and prototyping to create immersive Indigenous science exhibit experiences using mixed reality technologies.

Third Award of Grant Funding (2241805)

Exhibit F.

1 43. The Award Notice stated that the NSF was obligated by an amount of \$1,292,298.

2 44. The Award Notice did not require any cost share or matching amounts.

3 45. The Award Notice provided that the period of performance was from June 1, 2023
4 through May 31, 2026.

5 46. The Award Notice contained the following General Terms and Conditions: “This is
6 awarded pursuant to the authority of the National Science Foundation Act of 1950, as amended
7 (42 U.S.C. 1861-75) and is subject to Research Terms and Conditions (RTCs) dated 11/12/2020,
8 and NSF Agency Specific Requirements, dated 01/30/2023, available at
9 <https://www.nsf.gov/awards/managing/rtc.jsp>. This institution is a signatory to the Federal
10 Demonstration Partnership (FDP) Phase VI Agreement which requires active institutional
11 participation in new or ongoing FDP demonstrations and pilots. This award is made in accordance
12 with the provisions of NSF Solicitation: NSF 22-585, Innovative Technology Experiences for
13 Students and Teachers.”

14 47. The Award Notice provided for Total Direct Costs of \$995,805 and Total Indirect
15 Costs of \$296,493, with an Indirect Cost Rate of 40%. The Award Notice provided, “These rates
16 are at the time of award and are based upon the budget submitted to the NSF. It does not include
17 any out-year adjustments. The NSF will not modify awards simply to correct indirect cost rates
18 cited in the award notice. See the Proposal & Award Policies & Procedures Guide (PAPPG)
19 Chapter X.A.3.a. for guidance on re-budgeting authority.”

20 48. The award covered salaries and wages for five senior personnel: Principal
21 Investigator Ari Krakowski, Ph.D., co-Principal Investigator Kimiko Ryokai, Ph.D., co-Principal
22 Investigator Sarah Olsen, Ph.D., co-Principal Investigator Vincent Medina, and myself. The award
23 also covered salaries and wages for several other professional researchers and project coordinators
24 at the Lawrence Hall of Science. The award also provided \$162,712 to support the work of
25 graduate students.

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Supplemental Award for Third Grant (2241805)

49. Together with my collaborators Ari Krakowski, Kimiko Ryokai, Sarah Olsen, and Vincent Medina, through the Regents of the University of California, I submitted to the NSF a proposal for a supplement to award number 2241805 to celebrate NSF's 75th anniversary on May 10, 2025.

50. On January 15, 2025, the NSF accepted our proposal and awarded us a grant supplement (Award Number 2241805). A true and correct copy of this Supplemental Award Notice is attached hereto as **Exhibit G**.

51. The Supplemental Award Notice stated that the NSF was obligated by an additional amount of \$98,981, bringing the total funds awarded to \$1,391,279.

52. The Supplemental Award Notice also extended the end of the award period from May 31, 2026 to November 30, 2026.

Termination of Grant Funding (2315277, 2314075 and 2241805)

53. On April 18, 2025, the University of California, Berkeley received an email (the "April 18 Termination Email") from the address "grants005@nsf.gov," purporting to be Jamie H. French, Division Director, Office of Budget Finance and Award Management, Division of Grants and Agreements. A true and correct copy of this email is attached hereto as **Exhibit H**.

54. The April 18 Termination Email reads in relevant part: "The U.S. National Science Foundation (NSF) has undertaken a review of its award portfolio. Each award was carefully and individually reviewed, and the agency has determined that termination of certain awards is necessary because they are not in alignment with current NSF priorities. Effective immediately, the following are terminated:

NSF Award Id

2243822

2315277

2314075

2314435

1 NSF is issuing this termination to protect the interests of the government pursuant to NSF Grant
2 General Conditions (GC-1) term and condition entitled 'Termination and Enforcement,' on the
3 basis that they no longer effectuate the program goals or agency priorities. This is the final agency
4 decision and not subject to appeal. Costs incurred as a result of this termination may be
5 reimbursed, provided such costs would otherwise be allowable under the terms of the award and
6 the governing cost principles. In accordance with your award terms and conditions, you have 30
7 days from the termination date to furnish a summary of progress under the award and an itemized
8 accounting of allowable costs incurred prior to the termination date.” See Exh. H.

9 55. The April 18 Termination Email was forwarded to me by Angela Ford, the
10 Executive Director of the Sponsored Projects Office at the University of California, Berkeley. This
11 is how I learned that two NSF awards for which I was principal investigator and co-principal
12 investigator (2315277 and 2314075) were terminated.

13 56. On April 25, 2025, the University of California, Berkeley received an email (the
14 “April 25 Termination Email”) from the address “grants005@nsf.gov,” purporting to be Jamie H.
15 French, Division Director, Office of Budget Finance and Award Management, Division of Grants
16 and Agreements. A true and correct copy of this email is attached hereto as **Exhibit I**.

17 57. The April 25 Termination Email reads in relevant part:

18 The U.S. National Science Foundation (NSF) has undertaken a review of its award
19 portfolio. Each award was carefully and individually reviewed, and the agency has
20 determined that termination of certain awards is necessary because they are not in
alignment with current NSF priorities. Effective immediately, the following are
terminated:

21 NSF Award Id
22 2420364
23 2413236
24 2115614
25 2427457
26 2227705
27 2241576
28 2241805

NSF is issuing this termination to protect the interests of the government pursuant
to NSF Grant General Conditions (GC-1) term and condition entitled 'Termination
and Enforcement,' on the basis that they no longer effectuate the program goals or
agency priorities. This is the final agency decision and not subject to appeal. Costs
incurred as a result of this termination may be reimbursed, provided such costs
would otherwise be allowable under the terms of the award and the governing cost

1 principles. In accordance with your award terms and conditions, you have 30 days
2 from the termination date to furnish a summary of progress under the award and an
itemized accounting of allowable costs incurred prior to the termination date.

3 See Exh. I.

4 58. On the morning of April 25 2025, Ari Krakowski, the lead Principal Investigator
5 for award 2241805, received an unofficial communication from an NSF contact that the award had
6 been terminated. Ms. Krakowski called me to tell me the news. Leilah Lyons, the program officer
7 for award 2241805, followed up with an email to Ms. Krakowski that same day (the “Lyons
8 Email”), which Ms. Krakowski forwarded to me. A true and correct copy of this email is attached
9 hereto as **Exhibit J**.

10 59. The Lyons Email states in relevant part:

11 I am given to understand you and/or your SRO received the news this morning that
12 the following award has been terminated:

Award ID: 2241805

13 Award Title: Supporting Rightful Presence in Museum Spaces: Youth as
14 Participatory Designers of Indigenous Mixed Reality Science Exhibits

15 I understand that this is distressing news. These types of grant actions are not
16 common, and I have not yet been trained on how to manage them, so in interim I
will point you towards current policy guides.

17 Our existing proposal and awards policies and procedures guide (PAPPG) has this
18 to say about terminations: [https://www.nsf.gov/policies/pappg/24-1/ch-12-disputes-](https://www.nsf.gov/policies/pappg/24-1/ch-12-disputes-misconduct#a-suspension-and-termination-procedures-ca9)
19 [misconduct#a-suspension-and-termination-procedures-ca9](https://www.nsf.gov/policies/pappg/24-1/ch-12-disputes-misconduct#a-suspension-and-termination-procedures-ca9)

20 I am given to understand the letter you were sent said that there was no appeals
21 process, in contradiction to the PAPPG, which outlines an appeal process
22 (<https://www.nsf.gov/policies/pappg/24-1/ch-12-disputes-misconduct#ch12A4>),
23 and states that any appeal must be received by NSF within 30 days of the
24 termination notice. As I was not trained on this, I cannot give any advice about
following the PAPPG process to submit an appeal of the cancellation within 30
25 days – you now have as much information as I do. I am not a lawyer, and have no
26 authority to attempt to interpret these conflicting sources of guidance.

27 With regards to shutting down award activity, this is covered in the PAPPG and in
28 standard statutes ([https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-](https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-E/subject-group-ECFRed1f39f9b3d4e72/section-200.472)
29 [200/subpart-E/subject-group-ECFRed1f39f9b3d4e72/section-200.472](https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-E/subject-group-ECFRed1f39f9b3d4e72/section-200.472)).

1 60. This is how I learned that the third NSF award for which I was a co-principal
2 investigator (2241805) was terminated.

3 61. I decided not to appeal these terminations, since both the April 18 and April 25
4 Termination Emails stated that these terminations were not subject to appeal. In addition, the NSF
5 included two FAQs on its website reiterating its position that no appeals would be reviewed or
6 considered. See <https://www.nsf.gov/updates-on-priorities#appeals>.

7 **Harm Suffered from Terminations of Grant Funding**
8 **(2315277, 2314075 and 2241805)**

9 62. The Lawrence Hall of Science has historically successfully obtained and benefited
10 from significant (20-25% of our budget) federal funding to support the research, development,
11 innovation and scaling work that we do to inspire tomorrow by engaging young people, families,
12 communities, and educators in STEM discovery and learning in ways that advance equity. Federal
13 funding (mostly from NSF and IMLS, but also from NASA, NOAA, and NIH) provides a critical
14 innovation and resource engine for all of our work and impact. Our federally funded work has
15 helped us to inform, improve and build upon the understanding gained as we create new
16 instructional materials, programs and methods. The effectiveness that is demonstrated through our
17 research ensures that we are a trusted source for educators. We share our findings, including our
18 data, methods, tools and instructional materials with the widest possible audience of individuals
19 and organizations across the formal (schools) and informal (afterschool, community-based,
20 science centers) STEM learning organizations. In essence, the impacts of these terminations have
21 compromised our ability to carry out our public service mission to the fullest degree possible and
22 will deprive us of a source of research and development funding that both fuels our STEM
23 innovations and provides a significant benefit to the American public.

1 63. As to “Supporting Rightful Presence in Museum Spaces: Youth as Participatory
2 Designers of Indigenous Mixed Reality Science Exhibits” (Award 2241805), \$490,834.22 or 35%
3 of the award remained unpaid at the time of termination. In addition, when this award was
4 terminated, the supplemental funding for a celebration of the NSF’s 75th anniversary on May 10,
5 2025 was terminated as well. Because we had already made promises to community members, we
6 still went forward with the event, incurring the remaining costs to the Lawrence Hall of Science.

7 64. As to “Working Toward Racial Equity: Building Capacity to Institutionalize
8 Equity in Outdoor and Environmental Science Education,” (Award 2315277), approximately
9 \$3,769,075.24 or 80% of the award remained unpaid at the time of termination.

10 65. As to “Understanding the Impact of Outdoor Science and Environmental Learning
11 Experiences Through Community-Driven Outcomes” (Award 2314075), approximately
12 \$1,500,251.79 or 75% of the award remained unpaid at the time of termination.

13 66. The financial implications of these terminations accounts for millions of dollars of
14 lost funding to the Lawrence Hall of Science; Further, we are concerned that we may receive
15 additional terminations in the near future as NSF continues its review of current grants.

16 67. These abrupt terminations have a significant impact on The Lawrence’s budget and
17 will result in reductions in time and layoffs for both academic personnel and staff if we are not
18 able to quickly materialize alternative resources.

19 68. These mid-project terminations will negatively impact the ability of
20 academic personnel and staff members who have been working on these projects to advance
21 our work and careers.

22 69. While the financial implications are indeed debilitating, the human cost of the
23 termination of these awards is also profound. The projects funded by these grants are important to
24 the thousands of young people, educators and partners that they are designed to engage, serve,
25 and/or impact. The abrupt termination of these grants means that these people and organizations
26 will be negatively impacted by the loss of funding and the direct service it is supposed to support.

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Role of Class Representative

72. I have been in communication with other UC researchers, who would be members of the class, who have suffered the same general type of harm as I describe above, from the abrupt termination of their previously approved research grants. This harm is widespread and I believe it will only increase in scope and impact if classwide relief is not granted.

Executed this 29th day of May, 2025.

Jedda Foreman

Jedda Foreman